

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CRIMINAL DOCKET NO.: 3:99CR104-MU**

**CRIMINAL DOCKET NO.: 3:05CR100-V**

UNITED STATES OF AMERICA )  
                                )  
                                )  
vs.                              )  
                                )  
ANTONIO ROBERT MCCOY,     )  
                                )  
                                )  
Defendant.                    )  
                                )  
                                )

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**THIS MATTER** is before the Court on its own Motion to Consolidate Cases for Sentencing.

After entering a plea of guilty to the charge in the Bill of Indictment, on July 25, 2001, the Honorable Graham Mullen sentenced Defendant to 57 months imprisonment in case number 3:99cr104. After serving his sentence in that case, Defendant violated the terms of his supervised release and on April 8, 2005, Defendant was arrested. On April 20, 2005, United States Magistrate Judge Carl Horn ordered Defendant detained for his supervised release violation. A final hearing on revocation of Defendant's supervised release was scheduled for December 20, 2005. On December 27, 2005, however, Judge Mullen requested that this final hearing be conducted by the Honorable Richard Voorhees in conjunction with Judge Voorhees' sentencing of Defendant in case number 3:05cr100.

On April 25, 2005, Defendant was indicted in case number 3:05cr100, which is pending before Judge Voorhees. On November 16, 2005, Defendant pled guilty to the charges in the Bill of Indictment. A notice of the completion of Defendant's Pre-Sentence Investigation Report was

filed December 7, 2005, but Defendant has not yet been sentenced in this matter.

In light of the need for judicial economy and due to the similarity in the pending charges, the Court finds that consolidation of case number 3:99cr104 and case number 3:05cr100 for purposes of sentencing is appropriate. Since Defendant will soon be sentenced by this Court in case number 3:05cr100, these cases will be consolidated and assigned to Judge Voorhees.

**IT IS, THEREFORE, ORDERED** that the Clerk shall transfer case number 3:99cr104-MU in its entirety to be consolidated with case number 3:05cr100-V, and all pending and future matters regarding these cases will hereafter be conducted by **the Honorable Chief Judge Richard Voorhees.**

**IT IS FURTHER ORDERED** that the Clerk of Court serve copies of this Order on the United States Attorney's Office, Defense Counsel, the United States Probation Office, and the United States Marshall Service.

**Signed: January 5, 2006**



Richard L. Voorhees  
United States District Judge



